REMARKS

Claims 1-12 are now pending in the application. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Regarding Claim 5

Claim 5 of the present invention is characterized by a client terminal (a music data receiving apparatus) that temporarily stores music data in a musical performance vent data format including a series of event data into a temporally storage device, converts the stored music data into music data in an audio data format in accordance with an input setting parameter, stores the converted music data into a storage device and thereafter automatically deletes the received music data in a musical performance event data format from the temporally storage device.

The cited reference Kikuchi discloses, in Fig. 10, that packet transmitted from the concert hall is received via a network (SC1), and processes from Step SC9 to Step SC11 are executed when the received packet includes audio data or processes from Step SC6 to Step SC8 are executed when the received packet includes MIDI data. At Step SC6 and Step SC9, the received packet is temporarily stored in a buffer. The process at Step SC6 or at SC9 should be considered as being corresponding to "a temporal storage device" in claim 5 of the present invention. By the way, the MIDI data is reproduced at Step SC8, and the audio data is reproduced at Step SC11.

The Examiner points out that "a converter" in the present invention corresponds to an encoder 3 or 5 in the cited reference Kikuchi; however, both of the encoders 3 and 5 are encoding devices on a transmitter side, more in detail, the encoder 3 is a device that

converts an input analog audio signal into a digital audio signal to transmit to a communication line and packetizes a MIDI event output from a MIDI musical instrument to transmit to the communication line. The encoder 5 is a device that packetizes input image data to transmit to the communication line. However, claim 5 of the present invention is directed to **an operation of the music data receiving apparatus.** Therefore, the converter in claim 5 of the present invention is not relevant to the **operations on a transmitter side** by the encoders 3 and 5 in Kikuchi. Moreover, the encoders 3 and 5 (packet generators) in Kikuchi do not correspond to "a converter that converts the music data in a musical performance event data format stored in the temporal storage device into music data in an audio data format in accordance with the input setting parameter".

In addition to that, the Examiner considers "a storage device" in claim 5 of the present invention as being corresponding to Step SC9 in Fig. 10 of the present invention; however, as described in the above, Step SC9 in Fig. 10 is a process just for temporarily storing the received packet in a buffer and does not correspond to "a storage device that stores a plurality of music data in a musical performance event data format, each music data in a musical performance data event format including a series of event data".

The cited reference Kikuchi fails to disclose structures of "a converter", "a storage device" and "a deleting device" in claim 5 of the present invention.

Regarding Claims 10 and 12

The cited reference Morita discloses a contents management system consisted of an EMD server, a personal computer and a portable device, wherein contents data are stored in a database 107 in the personal computer and supplied to the portable device. Moreover, Morita discloses that contents data is encoded to a predetermined encoding format such as MP3, ATTRAC, etc. by ripping it from a CD-ROM by using GUI of the personal computer and that a song title, a file format (MP3, ATTRAC, etc.) are displayed in a list of each music file stored in the database 107.

The Examiner misunderstood that song files in the file formats such as MP3, WAV, OpenMG and ATTRAC3 stored in the database 107 are "music data in a musical performance event format" of the present invention. The "music data in musical performance event data format" according to the present invention is music data including a series of event data (e.g., MIDI data) and is different from audio data (WAV data) obtained by sampling analog voice at a predetermined sampling rate or compressed audio data (MP3, OpenMG and ATTRAC3) obtained by encoding the audio data into a predetermined compression format.

Therefore, the feature of claim 10 of the present invention, "converting music data including a series of event data in a musical performance event data format into an audio data format, and transmitting the converted audio data to a client terminal", is not disclosed in the cited Morita reference.

Moreover, the feature of claim 12 of the present invention, "requesting a server to convert music data including a series of event data in a musical performance event data format into an audio data format and transmit the converted audio data", is not disclosed in the cited Morita reference.

In view of the above amendment, Applicant believes the features of the present invention are not disclosed in the cited references, is patentable over the cited references and the pending application is in condition for allowance.

Dated: April 26, 2006

Respectfully submitted,

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